

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE

DOUGLAS DAY,)	
)	
Plaintiff,)	
)	
v.)	No.: 1:19-CV-253-TAV-CHS
)	
SOUTHERN ELECTRICAL)	
RETIREMENT FUND)	
BOARD OF TRUSTEES,)	
)	
Defendant.)	

ORDER

For the reasons stated in the memorandum opinion entered contemporaneously with this order, the Court orders as follows:

- Plaintiff's objections [Doc. 28] to the R&R are **OVERRULED**.
- The Court **ACCEPTS IN WHOLE** the R&R [Doc. 27].
- Defendant's first motion to dismiss [Doc. 9] is **GRANTED**, and plaintiff's 29 U.S.C. § 1132(c) claim is **DISMISSED WITH PREJUDICE**.
- Defendant's second motion to dismiss [Doc. 21] is **GRANTED**, and plaintiff's 29 U.S.C. § 1132(a)(1)(B) claim is **DISMISSED WITHOUT PREJUDICE**.
- The Clerk of Court is **DIRECTED** to **CLOSE THIS CASE**.

IT IS SO ORDERED.

s/ Thomas A. Varlan
UNITED STATES DISTRICT JUDGE

ENTERED AS A JUDGMENT
s/ John L. Medearis
CLERK OF COURT